

Office of the Attorney  
General  
555 East Washington Avenue, Suite 3000

ADAM PAUL LAXALT  
Nevada Attorney General  
ERIC N. TRAN  
Deputy Attorney General  
Nevada Bar No. 11876  
Bureau of Litigation  
Public Safety Division  
555 E. Washington Ave., Ste. 3900  
Las Vegas, Nevada 89101  
Telephone: (702) 486-2625  
Facsimile: (702) 486-3773  
Email: etran@ag.nv.gov  
*Attorneys for Defendants James G. Cox,  
Brian Connett, Sheryl Foster, Brian E.  
Williams, Sr., Cheryl Burson, Tanya Hill,  
and Johnny Youngblood*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

STEVEN D. RICHARD,  
Plaintiff,

v.

GREG COX, *et al.*,  
Defendants.

Case No. 2:12-cv-1236-GMN-CWH

**MOTION FOR EXTENSION OF TIME TO FILE  
MOTION FOR SUMMARY JUDGMENT  
[FOURTH REQUEST]**

Defendants James G. Cox, Brian Connett, Sheryl Foster, Brian E. Williams, Sr., Cheryl Burson, Tanya Hill and Johnny Youngblood, by and through counsel, ADAM PAUL LAXALT, Nevada Attorney General, and ERIC N. TRAN, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit this Motion for Extension of Time to File Motion for Summary Judgment [Fourth Request].

DATED this 14th day of September, 2015.

Respectfully submitted,

ADAM PAUL LAXALT  
Nevada Attorney General

By: /s/ Eric N. Tran  
ERIC N. TRAN  
Deputy Attorney General  
Nevada Bar No. 11876  
*Attorneys for Defendants*

## MEMORANDUM OF POINTS AND AUTHORITIES

### I. LEGAL ARGUMENT

Plaintiff Steven D. Richard is a former inmate of the Nevada Department of Corrections (“NDOC”). Plaintiff filed his Civil Rights Complaint asserting that several employees of the NDOC violated his constitutional rights while he was incarcerated at Southern Desert Correctional Center (“SDCC”). Dkt. # 11. Plaintiff’s Complaint alleges that employees at SDCC violated his First and Fourteenth Amendment rights by denying him a meatless diet to accommodate his religious belief. *Id.* Plaintiff also alleges that employees at SDCC violated his First Amendment Rights by denying him the ability to wear his Rastafarian religious headwear. *Id.*

On January 30, 2015, this Court issued a Scheduling Order stating that Motions for Summary Judgment shall be filed and served by May 30, 2015. Dkt. # 30. The deadline for submitting Motions for Summary Judgment was extended to September 14, 2015 . Dkt. # 36.

Defendants’ counsel has been working diligently to complete a motion for summary judgment by the September 14, 2015 deadline. However, as stated in Defendants’ previous motions for extension of time, three senior deputy attorneys general recently left the Office of the Attorney General. As a result of these recent departures, Defendants’ counsel was assigned to take over a significant number of the departing Senior Deputy Attorneys General’s active cases. While the Office of the Attorney General has hired two additional Deputy Attorneys General as of today’s date, these new Deputy Attorneys General have not had an opportunity to become familiar with the cases sufficient to assume the day to day

Office of the Attorney  
General  
555 East Washington Avenue, Suite 2000

responsibilities of these cases. As such, Defendants' counsel has continued to assume the responsibility of the majority of cases left by the departing Senior Deputy Attorneys General.

In addition, Defendants' counsel's dispositive motions calendar in other cases has affected Defendants' counsel's ability to file a Motion for Summary Judgment in this case by the September 14, 2015 deadline. For example, Defendants' counsel had a Motion for Summary Judgment in *Clemons v. Williams*, 13-cv-00093-RFB-NJK due on September 14, 2015; an Opposition to Plaintiff's Motion for Summary Judgment in *Johnson v. Little*, 14-cv-00649-RFB-VCF due on September 10, 2015; a Motion for Summary Judgment in *Campbell v. Cox*, 13-cv-02303-JAD-NJK due on August 31, 2015; and a Reply in Support of a Motion for Summary Judgment in *Woods v. Brown*, 13-cv-01029-APG-NJK that was due in September 8, 2015.

Further, Defendants' counsel has had to prepare for a mandatory four day interoffice training at the Office of the Attorney General that is schedule to take place from September 15, 2015 to September 18, 2015. These events have significantly and unexpectedly affected Defendants' counsel's ability to complete a motion for summary judgment by the September 14, 2015 deadline. Thus, Defendants request one final 30 day extension to file a motion for summary judgment.

FRCP 6 (b)(1) states that "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time . . . if a request is made, before the original time or its extension expires."

Based on the foregoing, Defendants request on final 30 day extension from the present deadline up to October 14, 2015 to file a motion for summary judgment.

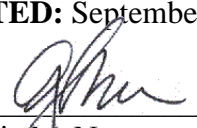
DATED this 14th day of September, 2015.

ADAM PAUL LAXALT  
Attorney General

By: /s/ Eric Tran  
ERIC N. TRAN  
Deputy Attorney General  
*Attorneys for Defendants*

**IT IS SO ORDERED.**

**DATED:** September 15, 2015

  
Gloria M. Navarro, Chief Judge  
United States District Court